

vote appeared to be four to four. And I just think if we continue to pull bills from committee that we're setting a precedence. If we have a bill that we want on the floor or we have a strong personal interest in, there's no problem, we don't even need the committee procedure, we'll just pull it out of committee. So, for those reasons and not the issues, I'm not getting into the issues at this point in time, I'm talking about the matter of pulling the bill to the floor. Whether it's this bill or any other, I think it's the wrong thing to do and I think we send the wrong message when we begin doing this. So, for those reasons, colleagues, I oppose pulling LB 327 from the committee.

PRESIDENT MOUL: Thank you, Senator Chizek. Senator Warner.

SENATOR WARNER: Mr. President...Madam President, members of the Legislature, I would rise to support raising the bill to place it on General File. This is an issue which I suspect my position is not a popular one or at least not popular in the sense I'm not sure what the majority of Nebraskans feel. When I first came to this body I was in support of the death penalty. I think I probably had the typical attitude of most people, having gone through the issue a number of times. The one thing that is so obvious to me you cannot study any of these...this kind of an issue without coming to the same conclusion and that conclusion is that there is nothing in the death penalty that is sure, swift, certain, consistently applied. It just doesn't exist. As a matter of fact, I've come to the conclusion whether the death penalty exists or not actually is up to some county attorney on what charges they file. That's where the decision is made if it's even going to be potentially done. The one argument I hear about it that has some logic to it is it can be used in order to negotiate a lesser offense and get a guilty plea. And if that's true, however, then it seems to me that you fly right in the face of the argument in support of the death penalty that is going to be a deterrent, number one; number two, that there is something uniform about it. There is something about it that the individual accused is going to use to their benefit. The issue, obviously, is not one of, at the moment at least, the death penalty itself, the issue is only for raising it. I think we ought to raise the issue. I think, the bill, I think it ought to be put before us. I can appreciate and traditionally want to be in support of committee actions but if a committee is divided four to four, then it seems to me exceedingly reasonable that a bill is brought to the floor so